



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

November 13, 2007

Honorable Nick Licata
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Licata:

I am transmitting the attached proposed Council Bill to amend SMC Section 11.30.220, removing the requirement that towing and storage contract specifications be approved by the Budget Director and by City Council resolution. The proposed legislation also removes requirements for review of the specifications by the Budget Director, which was a position that was abolished in 1998 with its duties assigned to the current Director of Finance. The Director of Finance and Director of Executive Administration agree this provision is obsolete and may be repealed.

SMC Section 11.30.220 authorizes the Director of Executive Administration periodically to prepare contract specifications for towing and storage services for vehicles impounded by the Seattle Police Department. The provision currently requires the City Council to approve the contract specifications by resolution, prior to the advertisement for bids, which adds substantial time to the contracting process. Since the provision's adoption in 1979, the City has set in place ordinances, rules, and procedures that ensure the procurement of goods and services is competitive, fair, and consistent with our social equity goals. The impound tow contract specifications undergo a rigorous review process that includes input from the Seattle Police Department and Law Department. The Director of Executive Administration is confident that existing contracting policy and procedures provide the appropriate level of oversight for the City's towing and storage contracts, and that the resolution requirement in SMC Section 11.30.220 is no longer necessary.

The proposed legislation will streamline the contracting process while maintaining appropriate oversight of these important contracts. Thank you for your consideration of this legislation. Should you have question, please contact Denise Movius at 684-9259

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", with a long, sweeping underline that extends across the signature block.

GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

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ORDINANCE 122589

AN ORDINANCE relating to the towing and storage of vehicles; removing the requirement for City Council approval of towing and storage contract specifications by resolution; removing a historical reference to the requirement for Budget Director review and approval of towing and storage contract specifications; and amending Subsection 11.30.220 A of the Seattle Municipal Code.

WHEREAS, SMC Subsection 11.30.220 A currently states that towing and storage contract specifications are subject to the approval of the City Council by resolution passed for such purpose; and

WHEREAS, removal of the requirement for City Council approval of the towing and storage contract specifications will streamline the contracting process; and

WHEREAS, the Director of Executive Administration is authorized generally by SMC Subsection 3.04.010 Q to administer contracts on behalf of the City, and specifically by SMC Section 11.30.220 to prepare specifications for towing and storage of vehicles impounded by the City, and administer the towing and storage contracts; and

WHEREAS, the existing provision in SMC Subsection 11.30.220 A requiring additional review and approval by the Budget Director (now the Director of Finance) of the towing and storage contracts relates to a prior time when the Director of Finance administered contracts;

WHEREAS, the reference regarding review and approval of towing and storage contracts by the Budget Director is no longer necessary; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 11.30.220 of the Seattle Municipal Code is hereby amended as follows:

A. The Director of Executive Administration is authorized and directed to prepare specifications for towing and storage of vehicles, including instructions to bidders, containing such provisions as the Director of Executive Administration shall deem advisable and not in

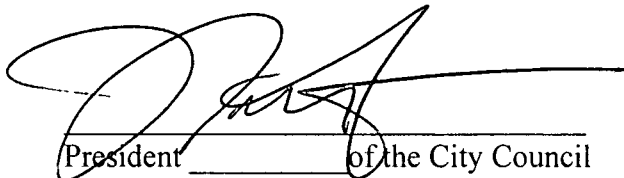


1 conflict with this chapter. ((The specifications shall be subject to the review and approval of the
2 Budget Director and the approval of the City Council by resolution passed for such purpose.))

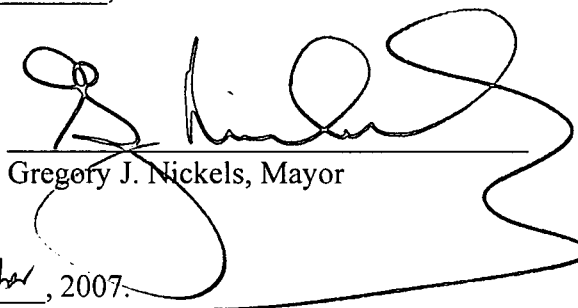
3 * * *

4 **Section 2.** This ordinance shall take effect and be in force thirty (30) days from and after
5 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
6 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
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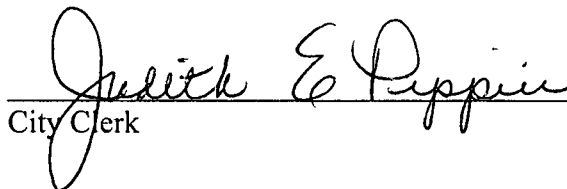
8 Passed by the City Council the 10th day of December, 2007, and signed by me in open
9 session in authentication of its passage this 10th day of _____, 2007.

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12 
13 President _____ of the City Council

14 Approved by me this 13th day of December, 2007.

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16 
17 Gregory J. Nickels, Mayor
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19 Filed by me this 14th day of December, 2007.

20
21 
22 City Clerk
23

24 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Executive Administration	Denise Movius/4.9259	Tyler Running Deer/4.8075

Legislation Title:

AN ORDINANCE relating to the towing and storage of vehicles; removing the requirement for City Council approval of towing and storage contract specifications by resolution; removing a historical reference to the requirement for Budget Director review and approval of towing and storage contract specifications; and amending Subsection 11.30.220 A of the Seattle Municipal Code.

• **Summary of the Legislation:**

The proposed ordinance amends SMC Subsection 11.30.220 A to repeal the requirement for City Council approval by resolution of towing and storage contract specifications that are prepared and administered by the Director of Executive Administration.

• **Background:**

In 1979, through Ordinance 108200, the City established the regulation of traffic upon Seattle streets. As part of the broad Traffic Code, the functional predecessor of the Director of the Department of Executive Administration (DEA) was authorized through SMC Section 11.30.220 to prepare contract specifications related to the towing and storage of private vehicles impounded by the Seattle Police Department (SPD) throughout Seattle. SPD impounds vehicles that are parked in tow-away zones, when drivers are arrested, or to clear vehicles damaged in accidents or otherwise abandoned on City rights-of-way. DEA administers the towing and storage contracts for the City, and periodically these contracts are put out for competitive bidding.

SMC Subsection 11.30.220 A currently requires that the towing and storage contract specifications be approved by the City Council by resolution, prior to advertisement for bids. The resolution requirement adds a significant amount of time to the contracting process. The Director of Executive Administration is authorized by SMC Subsection 3.04.010 Q to administer contracts on behalf of the City, and specifically by SMC Section 11.30.220 to administer the towing and storage contracts. DEA has established administrative rules, policies, and procedures to ensure that the City's procurement of goods and services is competitive and fair, as well as consistent with the City's social equity goals. Specifically, the Department of Executive Administration has established a rigorous review process for tow contract specifications, which includes input from the Seattle Police Department and Law Department. The Director of Executive Administration is confident that existing contracting policy and procedures provide

appropriate oversight for the towing and storage contracts, and that the resolution requirement in SMC Subsection 11.30.220 A is no longer necessary.

The proposed amendment also removes the provision that towing and storage contract specifications be subject to the review and approval of the "Budget Director." In 1998, the Executive Services Department was created through Ordinance 118912 and the duties of the Budget Director were assigned to the Executive Services Director and subsequently to the current Director of Finance. There were no corresponding revisions to SMC Subsection 11.30.220 A. The Director of Finance and the Director of Executive Administration agree that the provision for "Budget Director" review of the towing and storage contract specifications is obsolete and may be repealed.

X This legislation does not have any financial implications.

STATE OF WASHINGTON – KING COUNTY

--SS.

218551
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

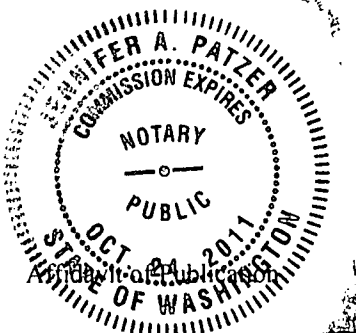
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

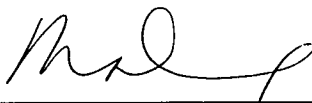
CT:122589 ORDINANCE

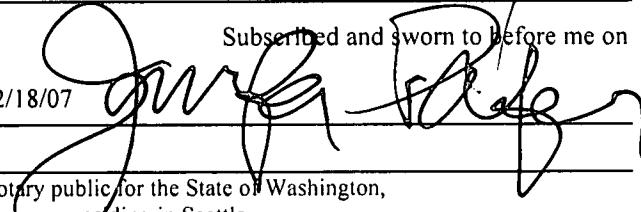
was published on

12/18/07

The amount of the fee charged for the foregoing publication is the sum of \$ 111.60, which amount has been paid in full.





Subscribed and sworn to before me on
12/18/07 

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

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WHEREAS, SMC Subsection 11.30.220 A currently states that towing and storage contract specifications are subject to the approval of the City Council by resolution passed for such purpose; and

WHEREAS, removal of the requirement for City Council approval of the towing and storage contract specifications will streamline the contracting process; and

WHEREAS, the Director of Executive Administration is authorized generally by SMC Subsection 3.04.010 Q to administer contracts on behalf of the City, and specifically by SMC Section 11.30.220 to prepare specifications for towing and storage of vehicles impounded by the City, and administer the towing and storage contracts; and

WHEREAS, the existing provision in SMC Subsection 11.30.220 A requiring additional review and approval by the Budget Director (now the Director of Finance) of the towing and storage contracts relates to a prior time when the Director of Finance administered contracts;

WHEREAS, the reference regarding review and approval of towing and storage contracts by the Budget Director is no longer necessary; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsection A of Section 11.30.220 of the Seattle Municipal Code is hereby amended as follows:

A. The Director of Executive Administration is authorized and directed to prepare specifications for towing and storage of vehicles, including instructions to bidders, containing such provisions as the Director of Executive Administration shall deem advisable and not in conflict with this chapter. ~~((The specifications shall be subject to the review and approval of the Budget Director and the approval of the City Council by resolution passed for such purpose.))~~

Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 10th day of December, 2007, and signed by me in open session in authentication of its passage this 10th day of December, 2007.

Nick Licata

President of the City Council

Approved by me this 13th day of December, 2007.

Gregory J. Nickels, Mayor

Filed by me this 14th day of December, 2007.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN,
City Clerk

Date of publication in the Seattle Daily
Journal of Commerce, December 18, 2007.

12/18(218551)